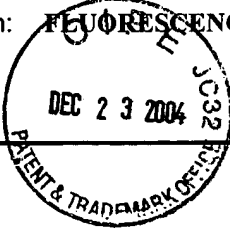
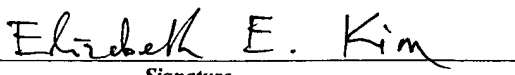
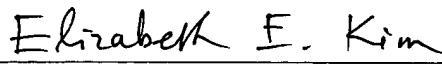


<b>AMENDMENT TRANSMITTAL LETTER (Small Entity)</b>				Docket No. <b>56247-188 (CSLL-624)</b>	
Applicant(s): <b>William P. Kelleher et al.</b>					
Application No. <b>09/916,419</b>	Filing Date <b>July 27, 2001</b>	Examiner <b>William H. Beisner</b>	Customer No.	Group Art Unit <b>1744</b>	Confirmation No.
Invention: <b>FLUORESCENCE DETECTION SYSTEM INCLUDING A PHOTONIC BAND GAP</b>					
 <b>COMMISSIONER FOR PATENTS:</b>					
Transmitted herewith is an amendment in the above-identified application.					
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27					
The fee has been calculated and is transmitted as shown below.					
<b>CLAIMS AS AMENDED</b>					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	23 -	21 =	2 x	\$25.00	\$50.00
INDEP. CLAIMS	4 -	2 =	2 x	\$100.00	\$200.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$250.00</b>
<input type="checkbox"/> No additional fee is required for amendment. <input checked="" type="checkbox"/> Please charge Deposit Account No. <b>50-1133</b> in the amount of <b>\$250.00</b> <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. <b>50-1133</b> <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. <b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>					
 _____ <i>Signature</i>			Dated: _____		
<b>Elizabeth E. Kim</b> <b>Registration No. 43,334</b> <b>McDermott Will &amp; Emery LLP</b> <b>28 State Street</b> <b>Boston, MA 02109</b> <b>Tel.: 617-535-4411</b> <b>Fax: 617-535-3800</b> <b>ekim@mwe.com</b>			I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on <u>Dec. 21, 2004</u> (Date)   _____ <i>Signature of Person Mailing Correspondence</i> <b>Elizabeth E. Kim</b> _____ <i>Typed or Printed Name of Person Mailing Correspondence</i>		
CC:					



Attorney Docket No. CSLL-624 (56247-188)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: William P. Kelleher  
Serial No: 09/916,419  
Filing Date: July 27, 2001  
Title: Fluorescence Detection System Including A Photonic  
Band Gap Structure  
Examiner: William H. Beisner  
Art Unit: 1744

**CERTIFICATE OF MAILING PURSUANT TO 37 C.F.R. § 1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Date: 12-21-04

Elizabeth Kim  
Elizabeth Kim

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT AND RESPONSE**

**A. INTRODUCTORY COMMENTS**

This paper is in response to the Office Action dated June 22, 2004, in the above-identified patent application. A Request for Continued Examination is being filed concurrently herewith, under section 37 C.F.R. § 1.114. **AMENDMENTS TO THE CLAIMS** begin on page 2 of this paper. **REMARKS/ARGUMENTS** begin on page 6 of this paper.

Enclosed is a Petition for Extension of Time. Please charge to our Deposit Account No. 50-1133 the requisite amount to cover the petition fee for a three-month extension of time pursuant to 37 C.F.R. 1.17(a)(3). With this extension, the new period for response is due on December 22, 2004. The Commissioner is hereby authorized to charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-1133.

BST99 1426689-1.056247.0188